

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/626,523 Confirmation No. 1131  
Applicant : BAYCHAR  
Filed : July 25, 2003  
Title : WATERPROOF/BREATHABLE MOISTURE TRANSFER  
LINER AND COMPOSITE FOR SNOWBOARD BOOTS,  
ALPINE BOOTS, HIKING BOOTS AND THE LIKE  
(As Amended)  
TC/AU : 1771  
Examiner : A.R. Singh  
Docket No. : BAY-410-04  
Customer No.: 24956

BEST AVAILABLE COPY

Director of the U.S. Patent and Trademark Office  
Mail Stop 16  
P.O. Box 1450  
Alexandria, VA 22313-1450

REQUEST FOR REFUND

Sir:

Applicants request a refund in the above-identified application due to an error on the part of the Patent Office.

On January 23, 2006, Applicants filed an Information Disclosure Statement. The documents cited in the Information Disclosure Statement were cited in an Office Action in a related application. The documents were discovered in 10/777,159 (cited in Office Action dated November 14, 2005). A copy of the Notice of References cited and the first page of the appropriate Office Action is enclosed. Filing of the documents on January 23, 2006 was within the time period set forth in 37 CFR §1.97.

Appl. No. 10/626,523  
Refund Request dated March 16, 2006

BAY-410-04


documents on January 23, 2006 was within the time period set forth in 37 CFR  
§1.97.

However, the Applicants' representatives Monthly Statement of Account for  
January 2006 (copy enclosed) indicates that \$180.00 was charged to the account on  
January 31, 2006 even though no fee was necessary.

Please credit a refund in the amount of \$180.00 to the Deposit Account No.  
50-1417.

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

By  32,846  
Shrinath Malur  
Reg. No. 34,663  
(703) 684-1120



**United States  
Patent and  
Trademark Office**

Return To:  
USPTO  
Home  
Page  
Finance  
Online  
Shopping  
Page

**Deposit Account Statement**

Requested Statement Month: January 2006  
 Deposit Account Number: 501417  
 Name: MATTINGLY STANGER & MALUR, P.C.  
 Attention:  
 Address: 1800 DIAGONAL ROAD, SUITE 370  
 City: ALEXANDRIA  
 State: VA  
 Zip: 22314  
 Country: UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
01/03	40	11087983	81940.0084	1814	\$130.00	\$5,071.00
01/03	65	10923718	T&A-119-02	1253	\$1,020.00	\$4,051.00
01/04	1	10372981	ASA-1114	1806	\$180.00	\$3,871.00
01/04	3	10386501	NIP-239-03	1201	\$400.00	\$3,471.00
01/04	3	10445000	1021.42773X00	1253	\$1,020.00	\$2,451.00
01/11	2	10819159	KAS-202	1806	\$180.00	\$2,271.00
01/11	212	10873162	501.43126X00	1464	\$130.00	\$2,141.00
01/12	1	10887162	BAY-410-05	1806	\$180.00	\$1,961.00
01/13	1	09986087	520.36525CX2	1201	\$200.00	\$1,761.00
01/13	1	09363191	H-811	1402	\$500.00	\$1,261.00
01/13	2	09363191	H-811	1253	\$1,020.00	\$241.00
01/13	214	6557570		8008	\$200.00	\$41.00
01/13	215	6557570		8024	\$40.00	\$1.00
01/17	82	E-REPLENISHMENT		9203	-\$10,000.00	\$10,001.00
01/18	1	10140981	500.41657X00	1201	\$600.00	\$9,401.00
01/18	1	09764073	500.39461X00	1201	\$400.00	\$9,001.00
01/18	7	10808098	1309.43693X00	1201	\$200.00	\$8,801.00
01/18	8	10238631	NIP-285	1201	\$200.00	\$8,601.00
01/18	8	10806098	1309.43693X00	1203	\$360.00	\$8,241.00
01/19	2	10822725	1309.43768X00	1251	\$120.00	\$8,121.00
01/19	3	10822725	1309.43768X00	1201	\$200.00	\$7,921.00
01/20	90	11334511	ASA-5053-02	1081	\$50.00	\$7,871.00
01/26	1	11206771		1201	\$200.00	\$7,671.00
01/26	3	10828288	501.43788X00	1201	\$200.00	\$7,471.00
01/27	36	10861792	1213.43918X00	1464	\$130.00	\$7,341.00
01/27	37	10861792	1213.43918X00	1801	\$790.00	\$6,551.00
01/30	19	11203978	H-1016-02	1202	-\$300.00	\$6,851.00

<https://ramps.uspto.gov/eram/Controller.jsessionid=ramps-10300-27ad:4415c7f0:8b59a12...> 3/13/2006

MAR-16-08

01:47PM

FROM: MATTINGLY, STANGER, WALUR &amp; BRUNDIDGE

+ 703 684 1157

T-889 P.005/007

F-854

01/30 20	11203978	H-1016-02	1201	-\$200.00	\$7,051.00
01/30 183	11010281	H-820-03	1806	<del>\$180.00</del>	<del>\$6,871.00</del>
01/31 1	10626523	BAY-410-04	1808	\$180.00	\$6,691.00
01/31 259	11341374	BAY-710-03	2202	\$250.00	\$6,441.00
01/31 260	11341374	BAY-710-03	2201	\$800.00	\$5,841.00

START	SUM OF	SUM OF	END
BALANCE	CHARGES	REPLENISH	BALANCE
\$5,201.00	\$9,860.00	\$10,500.00	\$5,841.00

[Need Help?](#) | [USPTO Home Page](#) | [Finance Online Shopping Page](#)

<https://ramps.uspto.gov/eram/Controller.jsessionid=ramps-10300-27ad:4415c7f0:8b59a12...> 3/13/2006



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NO.	FILED DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,159	02/13/2004	Boychar	BAY-310-02	5097
24956	7590	11/14/2003	EXAMINER	
MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C. 1800 DIAGONAL ROAD SUITE 370 ALEXANDRIA, VA 22314			MATZEK, MATTHEW D	
			ART UNIT	PAPER NUMBER
			1771	

DATE MAILED: 11/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**RECEIVED**

NOV 15 2005

MATTINGLY, STANGER  
 MALUR & BRUNDIDGE, P.C.

PTO-60C (Rev. 10/03)

<b>Notice of References Cited</b>	Application/Control No. 10/777,159	Applicant(s)/Patent Under Reexamination BAYCHAR,	
	Examiner Matthew D. Matzek	Art Unit 1771	Page 1 of 1

## U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-2001/0009830	07-2001	BAYCHAR, ?	442/418
X	B	US-4,050,491	09-1977	Hargrove, Wilma Rae	297/188.2
X	C	US-5,431,970	07-1995	Brown et al.	428/36.5
X	D	US-6,660,667	12-2003	Zuckerman et al.	442/131
	E	US-5,878,792	03-1999	Caldwell, J. Michael	427/474
	F	US-5,637,389	06-1997	Colvin et al.	428/308.4
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

## FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

## NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

U.S. Patent and Trademark Office  
PTO-892 (Rev. 01-2001)

Notice of References Cited

Part of Paper No. 11012005

MAR 16-06

01:46PM

FROM: MATTINGLY, STANGER, MALUR & BRUNDIDGE

+ 703 684 1157

T-989

P.001/007

F-854

**MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.**

PATENT MAINTENANCE  
DIVISION ATTORNEYS AT LAW

1800 DIAGONAL ROAD, SUITE 370

2006 MAR 16 PM ALEXANDRIA, VIRGINIA 22314

US PATENT & TRADEMARK  
OFFICE

(703) 684-1120

PATENT, TRADEMARK  
AND COPYRIGHT LAW

FACSIMILE (703) 684-1157

JOHN R. MATTINGLY\*  
DANIEL J. STANGER  
SHRINATH MALUR\*  
CARL I. BRUNDIDGE\*

DONNA K. MASON  
ASSOCIATE

COUN D. BARNITZ  
GENE W. STOCKMAN  
OF COUNSEL

JEFFREY M. KETCHUM  
Registered Patent Agent

\* Bar Membership Other Than Virginia

Date: March 16, 2006

**FACSIMILE COVER LETTER**

Facsimile Number: (571)273-6500

To: Commissioner for Patents  
Attn: Latrice Sims

From : Mr. Shrinath Malur  
MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

Re: USSN 10/626,523  
Attorney Docket No.: BAY-410-04


**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that the following listed documents are being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Request for Refund

Copy of Deposit Account Statement (1/06)

11/14/05 Office Action first page and Notice of References Cited.

  
Shrinath Malur  
Reg. No. 34,663

March 16, 2006

Date

Total Number of Pages (Including cover sheet): 7

If the facsimile you receive is incomplete or illegible, please CALL (703) 684-1120.  
Thank you.

United States Patent and Trademark Office  
- Sales Receipt -

01/31/2006 NHENSLEY 00000001 501417 10626523

01 FC:1806 180.00 DA

Adjustment Date: 04/12/2006 SDIRETA1  
01/31/2006 NHENSLEY 00000001 501417 10626523  
01 FC:1806 180.00 CR



**This Page is Inserted by IFW Indexing and Scanning  
Operations and is not part of the Official Record**

**BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☒ **BLACK BORDERS**
- ☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☐ **FADED TEXT OR DRAWING**
- ☐ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☐ **SKEWED/SLANTED IMAGES**
- ☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☐ **GRAY SCALE DOCUMENTS**
- ☒ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER:** \_\_\_\_\_

**IMAGES ARE BEST AVAILABLE COPY.**

**As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.**